

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

WOLVERINE WORLD WIDE, INC.,

Plaintiff,

v.

THE AMERICAN INSURANCE COMPANY, et al.,

Defendants.

Case No. 1:19-cv-00010

Honorable Janet T. Neff  
Mag. Judge Sally J. Berens  
Special Master Paula Manderfield

**EXPEDITED CONSIDERATION  
REQUESTED**

**ORAL ARGUMENT  
REQUESTED**

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**PLAINTIFF’S MOTION FOR LEAVE TO SUPPLEMENT THE RECORD FOR ITS  
MOTION FOR DISCOVERY SANCTIONS AGAINST TRAVELERS**

Wolverine World Wide (“Wolverine”) respectfully moves the Court for leave to supplement the record with respect to its Motion for Discovery Sanctions against Travelers. In support thereof, Wolverine states as follows:

1. Since Wolverine filed its Motion for Discovery Sanctions on July 12, 2023 (ECF No. 2068), Travelers has unilaterally cancelled the depositions of its corporate witness and claim handler. In addition, Travelers has failed to provide dates in response to Wolverine’s notice of depositions of 16 fact witnesses – despite Wolverine’s repeated attempts to find and clear dates. Further, in a desperate effort to avoid sanctions, Travelers has made an eleventh-hour production of nearly 900 documents that confirm Travelers **never searched** its claim handlers’ emails for responsive documents, in violation of this Court’s Order on February 2, 2022 in ECF No. 1357 and the Federal Rules of Civil Procedure.

2. With fact discovery set to close on September 8, 2023, and with many depositions already scheduled between now and then, Travelers’ gamesmanship has substantially prejudiced

Wolverine, whereby sanctions are required in order to provide Wolverine due process to complete discovery in this matter.

3. Provided Travelers' continued gamesmanship, including conduct that has transpired since the filing of Wolverine's Motion for Discovery Sanctions, Wolverine seeks to supplement the record with the Supplemental Declaration of Alice Kyureghian and attached exhibits to the Declaration. These documents further establish Travelers' repeated violations of this Court's direct Orders (ECF No. 1357, 1391, 1750).

4. Pursuant to Local Rule 7.1(e), Wolverine respectfully requested **expedited consideration of this Motion and its Motion for Discovery Sanctions** (ECF No. 2068) since the discovery deadline of September 8, 2023 is fast approaching and Travelers' gamesmanship has now severely impacted Wolverine's ability to obtain discovery in this matter.

WHEREFORE, Wolverine respectfully requests that this Court impose discovery sanctions against Travelers, including (1) providing an extension of discovery solely for the purpose of allowing Wolverine to seek discovery from Travelers, (2) ordering Travelers to conduct a reasonable and diligent search for all documents requested in discovery to date, including all internal correspondence between its claim handlers regarding Wolverine's claim, (3) ordering Travelers to produce its claim handler's claim notes, including, but not limited to, Jane Kelly's claim notes, (4) ordering Travelers to produce unredacted copies of its reinsurance policies and underwriting documents, (5) ordering Travelers to produce its 30(b)(6) witness and claim handler for deposition once Wolverine has had an opportunity to review the documents Travelers was ordered to produce, (6) ordering Travelers to produce for deposition the remaining 16 witnesses already noticed, and (7) granting any other relief this Court deems just and proper.

Dated: August 1, 2023

s/ Kevin B. Dreher  
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**CERTIFICATE OF SERVICE**

I hereby certify that on August 1, 2023, I electronically filed the foregoing document with the Clerk of Court using the ECF system, which provides notice to all attorneys of record.

s/ Kevin B. Dreher  
Kevin B. Dreher